

REMARKS

Reconsideration of the application, as amended, is respectfully requested.

The amendment to claim 1 is supported at page 4, line 21 and page 10, lines 5-10.

Claim 10 has been canceled without prejudice.

The Office heavily relies on Reddy to argue obviousness for the claimed invention.

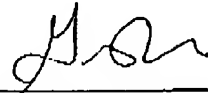
The invention relates to sterilized aqueous suspensions. The present specification explains that such sterilized emulsions in practice suffer from age-gellation, for example when stored for 8 weeks at ambient temperature. Reddy relates to spreads whereby (see claim 1) first an oil in water emulsion is prepared and subsequently this emulsion is transferred to an inverter to ensure inversion (claim 1 sub c).

The Office points to no reason why one of ordinary skill would expect that in Reddy the oil in water emulsion is present for more a limited amount of time as an intermediate product during spreads production; Reddy's end product is fat continuous spread. The Office provides no reasoning why the process as disclosed in Reddy would suffer from age-gellation, which occurs upon storage. The Office further provides no motivation for Reddy to use sterilization.

The invention relates to the reduction of age-gellation of sterilized products by using monoglyceride emulsifiers of specified range of HLB values. The Office points to no teaching by Reddy of (I) sterilization, or (II) reduction of age-gellation, and it seems far-fetched to argue that all these elements in combination would be obvious to be applied by the skilled person based on Reddy.

In view of the foregoing, it is respectfully requested that the application, as amended,
be allowed.

Respectfully submitted,



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